

REMARKS

Claims 1, 3, 4, 6, 7, 9, 10, 12, 13, 15, 16, 18, 19, 21, 22, 24, 25, 27, 28, 30, 31, 33, 34 and 36 are pending in this application. By this Amendment, claims 1, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31 and 34 are amended and claims 37-48 are added. No new matter is added. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action, on page 2, rejects claims 1, 3, 4, 6, 7, 9, 10, 12, 13, 15, 16, 18, 19, 21, 22, 24, 25, 27, 28, 30, 31, 33, 34 and 36 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,897,977 B1 to Bright. This rejection is respectfully traversed.

Independent claim 1, and in like manner independent claims 7, 13, 19, 25 and 31, recites, among other features, square areas having side lengths equal to  $(2^N) + 1$  pixels (where N is a natural number). Similarly, independent claim 4, and in like manner independent claims 10, 16, 22, 28 and 34, recites, among other features, wherein each square area has side lengths equal to  $(2^N) + 1$  pixels (where N is a natural number).

With respect to independent claims 1, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31 and 34, the Office Action, on pages 2-6, alleges that Bright teaches the number of pixels contained in one side of the square area being  $(2^N) + 1$  (where N is a natural number). In support of this assertion, the Office Action indicates that Fig. 4 of Bright anticipates this feature. With reference to Fig. 4, the Office Action reasons that the smaller squares have 3 pixels on a side and thus the number of pixels is  $(2^1) + 1 = 3$ . The Office Action incorporates this rationale in support of its rejection of independent claims 1, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31 and 34. These assertions and summary conclusions are incorrect.

Bright actually teaches side lengths of square areas that are 400 x 400 or 200 x 200 pixels (col. 10, lines 28-37). Bright, therefore, does not teach the feature quoted above as recited in the pending independent claims. Further, Bright teaches identifying triangles based

on bisection of the parent triangle's hypotenuse, or "subdividing a previous triangle in half" (col. 10, lines 36 and 37). This method necessarily limits the nature of the resulting offspring triangles.

These limitations are apparent in Fig. 4 of Bright. When the side lengths of Bright are used, the result is the creation of triangles having fractional side lengths, unlike the triangles resulting from the feature quoted above. Thus, while the Office Action asserts that Fig. 4 of Bright anticipates the subject matter of the pending claims because apparently  $(2^N) + 1$  squares can be found in the pixel grid of Fig. 4, this is not the result of, nor within the capabilities of, the Bright method. For example, the Office Action asserts that the pixels in Fig. 4 qualify under the  $(2^N) + 1$  feature, allegedly because, for example, a  $(2^1) + 1 = 3$  configuration can be found in the grid depicted in Fig. 4. A close inspection of Fig. 4 of Bright, and the entirety of the Bright disclosure, however, reveals Bright's method fails logically or predictably to arrive at this configuration and, in fact, Bright does not teach, nor would it have suggested, at least the above quoted feature of the pending independent claims at least because Bright fails to adhere to the  $(2^N) + 1$  methodology. As such, it is unreasonable to assert that Bright teaches, or would have suggested, the combinations of all features recited in independent claims 1, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31 and 34.

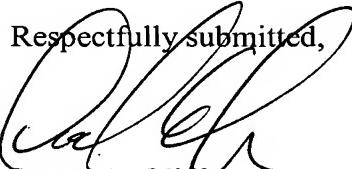
Applicant does not concede the merits of the Examiner's broad interpretation of what Bright can reasonably be considered to teach, or even to have suggested, and overall conclusions with regard to application of the references to the subject matter of the pending claims. However, in the interest of advancing prosecution, Applicant voluntarily amends independent claims 1, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31 and 34 to clarify the subject matter recited in at least the independent claims, and to better distinguish the subject matter recited therein over any even broad construction of what Bright can reasonably be considered to teach, or to have suggested.

For at least the foregoing reason, Bright cannot reasonably be considered to teach, or to have suggested, the combinations of all of the features positively recited in independent claims 1, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31 and 34. Additionally, claims 3, 6, 9, 12, 15, 18, 21, 24, 27, 30, 33 and 36-48 are also neither taught, nor would they have been suggested, by Bright for at least the respective dependence of these claims on the independent claims, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 1, 3, 4, 6, 7, 9, 10, 12, 13, 15, 16, 18, 19, 21, 22, 24, 25, 27, 28, 30, 31, 33, 34 and 36 under 35 U.S.C. §102(b), as being anticipated by Bright are respectfully requested.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3, 4, 6, 7, 9, 10, 12, 13, 15, 16, 18, 19, 21, 22, 24, 25, 27, 28, 30, 31, 33, 34 and 36-48 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number set forth below.

Respectfully submitted,  
  
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Date: April 20, 2007

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